IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 148 OF 2007
IN
WRIT PETITION NO. 807 OF 2007

Shree Pashupatinath Nagar Co-operative
Housing Society (Proposed) & Anr. ...Petitioners
V/s.
The State of Maharashtra & Ors. ...Respondents
and
A.D. Shirke ...Applicant

Mr.D.H. Mehta with C. D'Souza i/b. M/s.S. Ashwinikumar & Co. for the Applicant.
Mr.Sarita Donde for the Petitioners.
Mr.V.M. Phal, AGP for Respondent Nos.1 and 2.
Mr.J.G. Aradwad (Reddy) for Respondent no.3.

CORAM : V.M. KANADE, J.

DATED : APRIL 25, 2007

P.C. :-

1. Heard the learned Counsel for the applicant, learned Counsel fo the petitioners and the learned Counsel for the Respondents.

2. The intervenor seeks to intervene in the petition. It is submitted that the material facts have been suppressed by the petitioners in the petition. It is submitted that the proposal submitted by the intervenor was sanctioned by the authorities. This fact

has not been disclosed in the petition. It is submitted that the applicant, therefore, is a proper and necessary party to the petition and their rights would be seriously affected if any adverse order is passed in this petition.

3. In my view, considering the affidavit-in-support to the Chamber Summons, the intervenor should be added as party respondent. Chamber Summons is allowed in terms of prayer clauses (a) and (b).

4. The petitioners are directed to carry out amendment within two weeks. Place the matter for admission on board on 6th June, 2007.

(V.M. Kanade, J.)